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ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/27/2014

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KAREEM ROBERTS,

Plaintiff,

JUDGMENT

12 CV 9309 (VEC)

-against-

CITY OF NEW YORK, JOSEPH MARQUEZ, Individually,
KENNETH TUCKER, Individually, ALLEJANDRINA CASTILLO,
Individually, EMELIO RODRIGUEZ, Individually, and JOHN and
JANE DOE 1 through 10, Individually, and in their official capacities,
(the names John and Jane Doe being fictitious, as the true names are
presently unknown),

Defendants.
-----X

Defendants City of New York, Joseph Marquez, Kenneth Tucker, Allejandrina Castillo
and Emelio Rodriguez, having offered Plaintiff Kareem Roberts to take judgment against the
City of New York in this action for the total sum of Fifty Thousand and One (\$50,001) Dollars,
plus reasonable attorneys' fees, expenses, and costs to the date of this offer for Plaintiff Kareem
Roberts's federal claims, and Plaintiff Kareem Roberts having accepted said offer, it is

ORDERED and ADJUDGED that judgment is hereby entered pursuant to Rule 68 of the
Federal Rules of Civil Procedure in favor of Plaintiff Kareem Roberts and against the City of
New York in the total amount of Fifty Thousand and One (\$50,001) Dollars, plus reasonable
attorneys' fees, expenses and costs.

In accordance with the offer of judgment, this judgment is in full satisfaction of all
federal and state law claims or rights that Plaintiff Kareem Roberts may have to damages, or any
other form of relief, arising out of the alleged acts or omissions of Defendants City of New York,

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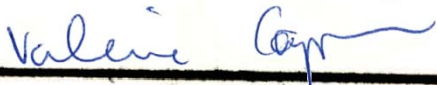
Joseph Marquez, Kenneth Tucker, Allejandrina Castillo and Emelio Rodriguez and the individuals identified in the complaint as “John and Jane Doe 1,” or any official, employee, or agent either past or present, of the City of New York, or any agency thereof, in connection with the facts and circumstances that are the subject of this action; this judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed as an admission of liability by Defendants or any official, employee, or agent of the City of New York, or any agency thereof; nor is it an admission that Plaintiff has suffered any damages; this offer of judgment will act to release and discharge Defendants; their successors or assigns; and all past and present officials, employees, representatives, and agents of the City of New York, or any agency thereof, from any and all claims that were or could have been alleged by Plaintiff Kareem Roberts arising out of the facts and circumstances that are the subject of this action; further, Plaintiff Kareem Roberts waive rights to any claim for interest on the amount of the judgment and agrees that payment of Fifty Thousand and One (\$50,001) Dollars within ninety (90) days of the acceptance of the offer shall be a reasonable time for such payments, unless Plaintiff received medical treatment in connection with the underlying claims in this case for which Medicare has provided, or will provide, payment in full or in part; if Plaintiff Kareem Roberts received medical treatment in connection with the underlying claims in this case for which Medicare has provided, or will provide, payment in full or in part; if Plaintiff Kareem Roberts is a Medicare recipient who received medical treatment in connection with the claims in this case, the ninety (90) day period for payment shall start to run from the date Plaintiff submits to counsel for Defendants a final demand letter from Medicare; Plaintiff Kareem Roberts further agrees to resolve any claim that Medicare may have for reimbursement of conditional payments

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it has made as secondary payer, and a Medicare Set-Aside Trust shall be created, if required by 42 U.S.C. § 1395y(b) and 42 C.F.R. §§ 411.22 through 411.26 and Plaintiff Kareem Roberts further agrees to hold harmless Defendants and all past and present officials, employees, representatives and agents of the City of New York, or any agency thereof, regarding any past and/or future Medicare payments, presently known or unknown, made in connection with this matter.

Dated: New York, New York
October 27, 2014

SO ORDERED:



U.S.D.J. *mc*